

King Charles's Case :

O R, A N

A P P E A L

To all Rational Men, concerning his

T R Y A L

A T T H E

High Court of JUSTICE.

Being for the most Part that which was intended to have been deliver'd at the Bar, if the King had Plead'd to the CHARGE, and put himself upon a fair TRYAL.

With an additional Opinion concerning the Death of King James, the Loss of Rochel, and the Blood of Ireland.

By JOHN COOK, of Grays-Inn, Barrester.

Justice is an excellent Vertue :

Reason is the Life of the Law.

Womanish Pity to mourn for a Tyrant, is a deceitful Cruelty to a City.

Whosoever is govern'd by a Man without a Law, is govern'd by a Man, and by a Beast. Aristotle.

L O N D O N :

Printed for J. H. a Friend to Legal Monarchy, but an Enemy to Monarchical Tyranny ; in the Glorious Year

1714.

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T O T H E

R E A D E R.

THE righteous Judge, whose Judgment is not only inevitable, but infallible, must shortly judge me, and all that concur'd to bring the capital Delinquent to condign Punishment; but in the Interim, I desire to be judg'd by all understanding Men in the World, that suffer their Judgment to be sway'd by Reason, and not bias'd by private Interest, whether ever any Man did so much deserve to die: Cain for the Murther of one righteous Abel, and David for one Uriah, had been Men of Death, had not God pardon'd them: Those Thirty one Kings which Joshua hang'd up, and Saul's Seven Sons, 2 Sam. 21. which were but at the worst (as it seems to me) evil Counsellors; were they not innocent, nay Saints in comparison of this Man? Those that crucified Christ did it ignorantly, For had they known him, they had not crucified the Lord of Glory. The Saints under the Ten Persecutions suffered by the Hands of Heathens, the Sicilian Vespers, the Parisian Massacre of the Protestants, and the Gunpowder-Plot, were acted and intended by Papiests, out of a Conceit of Merit: But for a Protestant Prince, stiled, The Defender of the Faith, in a Time of Light, that had sworn to keep the Peace, received Tribute to that End, and might have had the very Hearts of the People, if they could have given him them without Death (the strongest Engagements;)

To the Reader.

I say, for such a one so long to persecute the faithful, destroy and enslave the People by oppressing Cruelties : And when Machiavel could not do it, to levy a War to that wicked End, which never any of his Ancestors durst attempt ; that might at any Time with a Word of his Mouth, have stopt all the bleeding Veins in the Three Kingdoms, but would not ; and for the satisfying of a base Lust, caused more Protestant Blood to be shed, than ever was spilt, either by Rome, Heathen or Antichristian. Blessed God, what ugly Sins lodge in their Bosoms, that would have had this Man to live ! But Words are but Women, Proofs are Men ; it is Reason that must be the Chariot to carry Men to give their Concurrence to this Judgment : Therefore I shall deliver my Thoughts to the courteous Reader, as I was prepared for it, if Issue had been joyned in the Cause, but with some Addition for Illustration sake, desiring Excuse for the Preamble, because there is some Repetition in Matter.



A N

A P P E A L

To all Rational Men that love their God,
Justice and Country, more than their
Honour, Pleasure and Money,

Concerning the KING'S TRYAL.

May it please your Lordship,

MY Lord President, and this High Court, erected for the most Comprehensive, Impartial, and Glorious piece of Justice, that ever was acted and executed upon the Theatre of *England*, for the Trying and Judging of *Charles Stuart*, whom God in his Wrath gave to be a King to this Nation; and will, I trust, in great Love, for his notorious Prevarications and Blood-guiltiness, take him away from us: He that hath been the original of all Injustice, and the principal Author of more Mischiefs to the Free-born People of this Nation, than the best Arithmetician can well enumerate, stands now to give an account of his Stewardship, and to receive the good of Justice, for all the Evil of his Injustice and Cruelty. Had he Ten Thousand Lives, they could not all satisfy for the Numerous, Horrid and Barbarous Massacres of Myriads, and Legions of Innocent Persons, which by his Commands, Commissions and Procurements (or at least all the World must needs say, which he might have prevented; and he that suffers any Man to be kill'd, when he may save his Life without Danger of his own, is a Murderer) have been cruelly slain, and inhumanly murder'd, in this renown'd *Albion*; *Anglia* hath been made an *Akeldama*, and her younger Sister *Ireland* a Land of Ire and Misery; and yet this hard-hearted Man, as he went out of the Court, down the Stairs *January 22.* said (as some of his

his Guard told me and others) That he was not troubled for any of the Blood that hath been shed, but for the Blood of one Man (peradventure he meant *Strafford*.) He was no more affected with a List that was brought into *Oxford* of Five or Six Thousand slain in *Edghill*, than to read one of *Ben. Johnson's* Tragedies: You Gentlemen Royalists, that fought for him, if ye had lost your Lives for his sake, you see he would have no more pitied you by his own Confession, than you do a poor Worm; and yet what Heart but would cleave, if it were a Rock; melt, if it were Ice; break, if it were a Flint; or dissolve, if it were a Diamond, to consider that so much precious *Protestant* Blood should be shed in these Three Kingdoms, so many gallant valiant Men of all sorts and conditions, to be sacrific'd and lose their Lives, and many of them to dye so desperately in regard of their Eternal Conditions; and all this meerly, and only for the satisfying and fulfilling of one Man's sinful Lust and wicked Will. A good Shepherd is he that lays down his Life, or ventures it to save the Sheep; but for one to be so proudly wedded to his own Conceits, as so maliciously to oppose his private Opinion, against the publick Judgment and Reason of State, and to make Head against the Parliament, who acknowledged him to be Head thereof, so far as to give him the Honour of the Royal Assent, in settling the Militia and Safety of the People: I say, for a *Protestant* Prince, so beloved at Home, and feared Abroad, that in Love, and by gentle Means might have had any Thing from the Parliament, for him to occasion the shedding of so much Blood, for a pretended Prerogative, as hereafter will appear nothing in Effect but to fix and perpetuate an absolute Tyranny; I can say no less, but, O *Lucifer*, from whence art thou fall'n, and what Hereticks are they in Politicks, that would have had such a Man to live? Much more that think his Actions to have merited Love and Praise from Heaven and Earth. But now to dissect the Charge.

I. **T**HAT the Kings of *England* are trusted with a limited Power to govern by Law, the whole Stream and Current of Legal Authorities run so limpid and clear, that I should but weary those that know it already, and trouble those that need not know the particular Cases; for it is one of the Fundamentals of Law, That the King is not above the Law, but the Law above the King: I could

could easily deraign it from 1 *Edward* 3. to the Jurisdiction of Courts, That the King has no more Power, or Authority than what by Law is concredited and committed to him; but the most famous Authority is *Fortescue*, Chancellor to *Henry* 6. (and therefore undoubtedly would not clip his Master's Prerogative) who most Judicially takes a difference between a Government wholly Regal and Seignoral; as in *Turkey*, *Russia*, *France*, *Spain*, &c. and a Government Politick and mixt, where the Law keeps the Beam even between Sovereignty and Subjection, as in *England*, *Denmark*, *Sweden* and *Poland*. The first, where the Edict of a Prince makes the Law, resembles an impetuous Inundation of the Waters, whereby the Corn and Hay, and other Fruits of the Earth are spoiled, as when it is Midwinter at Midsummer; the latter is like a sweet smooth Stream, running by the Pleasant Fields and Meadows: That by the Law of *England* the King ought not to impose any Thing upon the People, or take any Thing away from them to the value of a Farthing, but by common Consent in Parliaments or National Meetings; and that the People of Common-Right, and by several Statutes ought to have Parliaments Yearly, or oftner if need be, for the Redress of Publick Grievances, and for Enacting of good and wholsom Laws, and repealing of old Statutes of *Omeri*, which are prejudicial to the Nation: And that the King hath not by Law so much Power as a Justice of Peace, to commit any Man to Prison for an Offence whatsoever, because all such Matters were committed to proper Courts and Officers of Justice: And if the King by his verbal Command send for any Person to come before him, if the Party refused to attend, and the Messenger endeavouring to force him, they fell to Blows; if the Messenger killed the Party sent for, this by the Law is Murther in him; but if he killed the Messenger, this was justifiable in him, being in his own Defence, so as to sue forth a Pardon of course; these, and many other Cases of like Nature are so clear and well known, that I will not presume to multiply Particulars.

That the King took an Oath at his Coronation, to preserve the Peace of the Nation, to do Justice to all, and to keep and observe the Laws which the People have, himself confesses: And it was charged upon the late Archbishop, that he emasculated the Oath, and left out very material Words, *Which the People shall chuse*, 1 *Book of Ord. fol.*
which

which certainly he durst not have done without the King's special Command; and it seems to me no light Presumption, that from that very Day, he had a Design to alter and subvert the fundamental Laws, and to introduce an Arbitrary and Tyrannical Government; but tho' there had been no Oath, yet by special Office and Duty of his Place, every King of *England* is obliged to act for the People's Good; for all Power, as it is originally in the People (he must needs be extream ignorant, malicious, or a self-destroyer, that shall deny it) so it is given forth for their Preservation; and tho' such Men are said to be Gods on Earth, 'tis in no other Sense than the Devil is called the God of this World: It seems that one Passage which the King would have offer'd to the Court (which was not permitted him to dispute the Supream Authority in the Nation, and standing Mute, the Charge being for high Treason, it is a Conviction in Law) was, that 1 *Sam.* 8. is a Copy of the King's Commission, by Vertue whereof, he as King might rule and govern as he list, that he might take the People's Sons, and appoint them himself for his Chariots, and to be his Horsemen, and take their Daughters to be his Confectionaries, and take their Fields, and Vine-yards, and Olive-yards, even the best of them, and their goodliest young Men, and their Asses, and give them to his Officers and to his Servants: Which indeed is a Copy and Pattern of an absolute Tyrant, and absolute Slaves, where the People have no more than the Tyrant will afford them: The holy Spirit in that Chapter does not insinuate what a good King ought to do, but what a wicked King would presume to do. Besides, *Saul* and *David* had extraordinary Callings; but all just Power is now derived from, and conferr'd by the People; yet in the Case of *Saul*, it is observable, that the People out of Pride to be like other Nations, desired a King, and such a King as the Heathens had, which were all Tyrants; for they that know any thing in History, know that the first Four Monarchs were all Tyrants at First, till they gained the Peoples Consent. *Nimrod* the great Hunter was *Ninus*, that built *Niniveh*, the first Tyrant and Conquerer, that had no Title; and so were all Kingdoms, which are not elective till the Peoples subsequent Consent, and tho' it be by Descent, yet 'tis a Continuation of a Conquest: Till the People consent and voluntarily submit to a Government, they are but Slaves, and in Reason they may free themselves

selves if they can: In *France* the King begins his Reign from the Day of his Coronation; the Archbishop asks the People if he shall be King; the Twelve Peers, or some that personate them, say, yes, they girt the Sword about him, then he swears to defend the Laws: And is any thing more natural than to keep an Oath? And tho' vertuous Kings have prevailed with the People to make their Crown Hereditary, yet the Coronation shews the Shell that the Kernel hath been in: *Samuel* was a good Judge, and there was nothing could be objected against him, therefore God was displeas'd at their inordinate Desire of a King; and it seems to me, that the Lord declares his Dislike of all such Kings as the Heathen were, that is, Kings with an unlimited Power, that are not tied to Laws; for he gave them a King in his Wrath, therein dealing with them as the wise Physician with the distemper'd and impatient Patient, who desiring to drink Wine, tells him the Danger of Inflammation, yet Wine he will have, and the Physician considering that a little Wine will do but little hurt, rather than his Patient by fretting should take greater Hurt, prescribes a little white Wine, wherein the Physician doth not approve his drinking of Wine, but of Two Evils chooseth the least. The Jews would have a King for Majesty and Splendor, like the Heathens; God permits this, he approves it not; it seems to me that the Lord renounces the very Genus of such Kings as are there mentioned, and the old Word *Conning* (by Contraction King) does not signify Power or Force to do what he will, but a knowing wise, discreet Man, that opens the Peoples Eyes, and does not lead them by the Noses, but govern them with Wisdom and Discretion for their own Good. Therefore Gentlemen-Royalists, be not so mad as to misconstrue, either the Oaths of Allegiance or Supremacy, or any League or Covenant, that any Man should swear to give any One leave to cut his Throat; the true Meaning is, that the King of *England* was supreme in this Land, in Opposition to the Pope, or any other Prince or Potentate, as the Words of the Oath do import, *That no foreign State, Prince or Potentate, &c.* In Case of any foreign Invasion, the King was by the Law to be Generalissimo, to command the People for their own Safety, and so it was expounded by the Parliament in 13. *Eliz.* which for some Reason of State, was not permitted to be printed with the Statutes, besides God told those Kings whom he had formerly anointed, what

their Duty was; not to exalt themselves' overmuch above their Brethren, to delight themselves in the Law of God; out of which I infer, that the *Turks, Tartars, Muscovites, French Spaniards*, and all People that live at the Beck and Nod of tyrannical Men, may and ought to free themselves from that Tyranny, if, and when they can; for such Tyrants that so domineer with a Rod of Iron, do not govern by God's permissive Hand of Approbation or Benediction, but by the permissive Hand of his Providence, suffering them to scourge the People, for Ends best known to himself, until he open a Way for the People to work out their own Enfranchisements.

But before I speak of the War, it will be necessary for the satisfaction of rational Men, to open and prove the King's wicked Design, wherewith he stands charged. Now that he had from the beginning of his Reign, such a Design and Endeavour so to tear up the Foundations of Government, that Law should be no Protection to any Man's Person or Estate, will clearly appear by what follows.

1. By his not taking the Oath so fully as his Predecessors did; that so when the Parliament should tender good Laws to him for the Royal assent, he might readily answer that he was not by Oath obliged to confirm or corroborate the same.

2. By his dishonourable and perfidious dealing with the People at his Coronation, when he set forth a Proclamation, that in regard of the Infection then spread through the Kingdom, he promised to dispense with those Knights, that by an old Statute were to attend at the Coronation, who were thereby required not to attend; but did notwithstanding, within few Months after, take Advantage of their absence, and raised a vast Sum of Money out of their Estates at the Council Table, where they pleading the said Proclamation, for their Justification, they were answered that the Law of the Land was above any Proclamation, like that Tyrant, that when he could not by Law execute a Virgin, commanded her to be deflowred, and then put to Death.

3. By his altering the Pattents and Commissions to the Judges, which having heretofore had their Places granted to them so long as they should behave themselves therein, he

he made them but during Pleasure, that so if the Judges should not declare the Law to be as he would have it, he might with a wet Finger remove them, and put in such as should not only say, but swear if Need were, that the Law was as the King would have it; for when a Man shall give Five or Ten Thousand Pounds for a Judge's Place during the King's Pleasure, and he shall the next Day send to him to know his Opinion of a Difference between the King and the Subject, and it shall be intimated unto him, that if he do not deliver his Opinion for the King, he is likely to be remov'd out of his Place the next Day; which if so, he knows not how to live, but must rot in a Prison for the Money which he borrow'd to buy his Place, as was well known to him some of their Cases, who underhand and closely bought great Places; to elude the Danger of the Statute, whether this was not too heavy a Temptation for the Shoulders of most Men to bear, is no hard Matter to determine; so as upon the Matter, that very Act of his made the King at the least a potential Tyrant; for when that shall be Law, which a King shall declare himself, or which shall be declared by those whom he chooses, this brings the People to the very next Step to Slavery.

But that which does irrefragably prove the Design, was his restless Desire to destroy Parliaments, or to make them useless. And for that, who knows not but that there were Three or Four national Meetings in Parliament in the First Four Years of his Reigh, which were called for Supply to bring Money into his Coffers in point of Subsidies, rather than for any Benefit to the People, as may appear by the few good Laws that were then made. But that which is most memorable, is the untimely dissolving the Parliament in 4 Car. when Sir *John Elliot* and others (who managed a Conference with the House of Peers concerning the Duke of *Buckingham*, who amongst other Things was charg'd concerning the Death of King *James*) were committed close Prisoners to the Tower, where he lost his Life by cruel Indurance. Which I may not pass over without a special Animadversion: For sure there is no *Turk* or Heathen but will say, that if he were any way guilty of his Father's Death, let him die for it.

I would not willingly be so injurious to the honest Reader, as to make him buy that again which he hath formerly

merly mat with in the Parliaments *Declaration* or elsewhere ; in such a Case a marginal Reference may be sufficient. Nor would I herein be so presumptuous as to prevent any thing that happily may be intended in any Declaration for more general Satisfaction ; but humbly to offer a Students Mite, which satisfies my self, with Submission to better Judgments.

How the King came to the Crown, God and his own Conscience best knew. It was well known and observ'd at Court, that a little before, he was a profess'd Enemy to the Duke of *Buckingham* ; but instantly upon the Death of King *James*, took him into such special Protection, Grace and Favour, that upon the Matter he divided the Kingdom with him. And when the Earl of *Bristol* had exhibited a Charge against the said Duke, the 13th Article whereof concerned the Death of King *James*. He instantly dissolved that Parliament, that so he might protect the Duke from the Justice thereof, and would never suffer any legal Inquiry to be made for his Father's Death. The Rabbines observe that that which stuck most with *Abraham* about God's Command to sacrifice *Isaac*, was this ; *Can I not be obedient, unless I be unnatural ? What will the Heathen say, when they hear they have killed my only Son ? What will an Indian say to this Case ? A King hath all Power in his Hands to do Justice ; there is one accused upon strong Presumptions at the least, for poisoning that King's Father ; the King protects him from Justice ; whether do you believe that himself had any Hand in his Father's Death ? Had the Duke been accused for the Death of a Beggar, he ought not to have protected him from a Judicial Trial. We know that by Law it is no less than Misprison of Treason to conceal a Treason ; and to conceal a Murder, strongly implies a guilt thereof, and makes him a kind of Accessary to the Fact. He that hath no nature to do Justice to his own Father, could it ever be expected that he should do justice to others ? Was he fit to continue a Father to the People, who was without natural Affection to his own Father ? Will he love a Kingdom, that shewed no love to himself, unless it was that he durst not suffer Inquisition to be made for it ? But I leave it as a Riddle, which at the Day of Judgement will be expounded and unridled (for some sins will not be made manifest till that Day) with this only, That had he made the Law
of*

of God his Delight, and studied therein Night and Day, as God commanded his Kings to do; or had he but studied Scripture half so much as *Ben. Johnson* or *Shakespear*, he might have learnt, That when *Amariah* was settled in the Kingdom, he suddenly did justice upon those Servants which had killed his Father *Joash*, 2 Kings xii. 20. and xiv. 1, 5. He did not by any pretended Prerogative excuse or protect them, but delivered them up into the Hands of that Justice which the Horridness of the Fact did undoubtedly demerit

That Parliament 4. *Car.* proving so abortive, the King sets forth a Proclamation, 27 *Mar.* 5. *Car.* That none should presume to move him to call Parliaments, for he knew how to raise Money enough without the Help of Parliaments, therefore in 12 Years refuseth to call any. In which Interval and Intermision, how he had oppressed the People by Incroachments and Usurpations upon their Liberties and Properties; and what vast Sums of Money he had forcibly exacted and exhausted by illegal Patents and Monopolies of all sorts, I refer the Reader to that most judicious and full *Declaration of the State of the Kingdom*, published in the beginning of this Parliament. That Judgment of Ship-Money, did upon the Matter formalize the People absolute Slaves, and him an absolute Tyrant: For if the King may take from the People in case of Necessity, and himself shall be Judge of that Necessity, then cannot any Man say that he is worth 6 *d.* for if the King say that he hath need of that 6 *d.* then by Law he must have it; I mean that great *Nimrod*, that would have made all *England* a Forrest, and the People which the Bishop call his Sheep, to be his Venison to be hunted at his Pleasure.

Nor does the common Objection, *That the Judges and evil Counsellours, and not the King, ought to be responsible for such Male-Administrations, Injustice and Oppression*, bear the Weight of a Feather in the Ballance of right Reason. For, 1. Who made such wicked and corrupt Judges? Were they not his own Creatures? And ought not every Man to be accountable for the Works of his own Hands? He that does not hinder the doing of Evil, if it lies in his Power to prevent it, is guilty of it as a Commander thereof. He that suffered those black Stars to inflict such barbarous Cruelties and unheard of Punishments, as Brandings,

ings, Slitting of Noses, &c. upon honest Men, to the Dishonour of the Protestant Religion, and Disgrace of the Image of God shining in the Face of Man, he well deserv'd to have been so serv'd. But, 2. He had the Benefit of those illegal Fines and Judgments. I agree, that if a Judge shall oppress *I. S.* for the Benefit of *I. D.* the King ought not to answer for this, but the Judge, unless he protect the Judge against the Complaint of *I. S.* and in that Case he makes himself guilty of it. But when a just Judgment is given against *I. S.* for the King's Benefit, and the Fine to come immediately into his Coffers; he that receives the Money, must needs be presumed to consent to the Judgment. But, 3. Mark a Machiavel-Policy; *Call no Parliaments to question the Injustice and Corruption of Judges, for the Peoples Relief, and make your own Judges, and let that be Law that they declare; whether it be reasonable or unreasonable it is no Matter.*

But then how came it to pass that we had any more Parliaments? Had we not a gracious King to call a Parliament when there was so much Need of it? and to pass so many gracious Acts to put down the *Star-Chamber*, &c? Nothing less, it was not any voluntary free Act of Grace, not the least Ingredient or Tincture of Love or good Affection to the People, that called the short Parliament in the 16. but to serve his own Turn against the *Scots*, whom he then had design'd to enslave; and those seven Acts of Grace which the King pass'd, were no more than his Duty to do, nor half so much, but giving the People a Take of their own Gifts, and he dissents with them about the Militia, which commanded all the rest; he never intended thereby any more Good and Security to the People, than he that stealing the Goose, leaves the Feathers behind him: But to answer the Question, thus it was;

The King being wholly given up to be led by the Counsels of a Jesuited Party, who indeavour'd to throw a Bone of Dissention among us, that they might cast in their Net into our troubled Waters, and catch more Fish; for *St. Peters* Sea perswaded the King, to set up a new form of Prayer in *Scotland*, and laid the Bait so cunningly that whether they saw it or not, they were undone; if they saw the Mystery of Iniquity couched in it they would resist, and so merit Punishment for rebelling; if they swallowed it, it would

would make way for worse ; well, they saw the Poison and refused to taste it ; the King makes War ; and many that loved Honour and Wealth more than God, assisted him ; down he went with an Army, but his Treasure wasted in a short Time ; fight they would not for fear of an after-reckoning ; some Commanders propound that they should make their Demands, and the King grants all, comes back to *London*, and burns the Pacification, saying it was counterfeited, they reassume their Forts, he raises a second War against them, and was necessitated to call a Parliament offering to lay down Ship-money for twelve Subsidies ; they refuse ; the King in high displeasure breaks off the Parliament, and in a Declaration commands them not to think of any more Parliaments, for he would never call another.

There was a King of *Egypt* that cruelly oppress'd the People, they poor Slaves complaining to one another, he feared a rising, and commanded that none should complain upon pain of cruel Death ; Spies being abroad, they often met, but durst not speak, but parted with Tears in their Eyes, which declared that they had more to utter, but durst not ; this struck him to greater Fears, he commanded that none should look upon one anothers Eyes at parting ; therefore their Grievs being too great to be smothered, they fetch a deep Sigh when they parted, which moved them so to compassionate one anothers wrongs, that they ran in and killed the Tyrant. The long hatching *Irish* Treason was now ripe, and therefore it was necessary that *England* and *Scotland* should be in Combustion, least we might help the *Irish* Protestants ; well, the *Scots* get *New-Castle*, he knew they would trust him no more, he had so often broke with them, therefore no Hopes to get out by a Treaty ; many Lords and the City petition for a Parliament, the King was at such a Necessity, that yield he must, to that which he most abhor'd ; God had brought him to such a Strait, he that a few Months before assum'd the Power of God, commanding Men not to think of Parliaments to restrain the free Thoughts of the Heart of Man, was constrain'd to call one which they knew he would break off when the *Scots* were sent home, therefore got a Confirmation of it, that he should not dissolve it without the Consent of both Houses, of which he had no Hopes, or by Force of which he suddenly attempted,
and

and the *English* Army in the North, was to have come up to confound the Parliament, and this rebellious and disloyal City, as the King call'd it, and for their Pains was promised Thirty Thousand Pounds, and the Plunder as by the Examinations of Col. *Goring*, *Legge*, &c. doth more fully appear.

And here by the Way, I cannot but commend the City Malignants; he calls them Rebels, they call him a gracious King; He by his Proclamation at *Oxford* prohibits all Commerce and Entercourse of Trade between this populous City (the Life and Interest whereof consists in Trade, without which many Thousands cannot subsist) and other Parts of the Kingdom, still they do Good against Evil, and petitioning him so often to cut their Throats; are troubled at nothing so much as that they are not reduc'd to that former and a worse Bondage than when there was a Lord Warden made in the City, and the King sent for as much of their Estates as he pleased. But surely the *Oxfordshire* Men are more to be commended; for when the King had commanded by his Proclamation; That what Corn Hay, and other Provision in the County of *Oxford* cou'd not be fetch'd into the said City for his Garrison, should be consum'd and destroy'd by Fire, for Fear it should fall into the Hands of the Parliament's Friends; a Cruelty not to be parallel'd by any Infidel, Heathen, or Pagan King, nor to be presided amongst the most avowed and profest Enemies, much less from a King to his Subjects; they resolv'd never to trust him any more.

But the great Question will be, What hath been the true Ground and Occasion of the War? which unless I clear, and put it out of question, as the Charge imports, I shall fall short of what I chiefly aim at, viz. *That the King set up his Standard of War, for the Advancement and upholding of his personal Interest, Power, and pretended Prerogative, against the publick Interest of Common Right, Peace and Safety; and thus I prove it:*

1. He fought for the *Militia* by Sea and Land, to have it at his absolute Dispose, and to justifie and maintain his illegal Commissions of Array; and this he pretended was his Birthright by the Law of *England*: Which if it were so, then

then might he by the same Reason command all the Money in the Kingdom: For he that carries the Sword, will command the Purse.

2. The next thing that he pretended to fight for, was his Power to call Parliaments when he pleased, and dissolve them when he list: If they will serve his turn, then they may sit by a Law to enslave the People; so that the People had better choose all the Courtiers and King's Favourites at first, than to trouble themselves with ludicrous Elections to assemble the Freeholders together, to their great Labour and Expence both of Time and Coin, and those which are chosen Knights and Burgesses to make great Preparations, to take long Journeys to *London* themselves and their Attendants, to see the King and Lords in their Parliament Robes ride in State to the House, and with *Domitian*, to catch Flies; and no sooner shall there be any Breathing, or a Spirit of Justice stirring and discover'd in the House of Commons, but the King sends the Black-Rod, and dissolves the Parliament, and sends them back again as wise as they were before, but not with so much Money in their Purses, to tell Stories to the Freeholders of the Bravery of the King and Lords.

3. Well, but if this be too gross, and that the People begin to murmur and clamour for another Parliament, then there goes out another Summons, and they meet, and sit for some time, but to as much Purpose as before; for when the Commons have presented any Bills for Redress of a publick Grievance, then the King hath several Games to play to make all Fruitless; as, first his own negative Voice, that if Lords and Commons are both agreed, then he will advise; which (I know not by what strange Doctrine) hath been of late construed to be a plain Denial, tho' under Favour at the first, it was no more but to allow him two or three Days time to consider of the Equity of the Law; in which time if he could not convince them of the Injustice of it, then ought he by his Oath and by Law to consent to it.

4. But if by this Means the King had contracted hard Thoughts from the People; and that not only the Commons, but many of the Lords, that have the same noble Blood running in their Veins; as those English Barons;
 O whose

whose Swords were the chief Instruments that purchased *Magna Charta*; then, that the King might be sure to put some others between him and the Peoples Hatred. The next Prerogative that he pretended to have, was to be the sole Judge of Chivalry, to have the sole Power of conferring Honours, to make as many Lords as he pleased, that so he may be sure to have two against one, if the House of Commons (by reason of the Multitude of Burgeses, which he likewise pretended a Power to make as many Borough-Towns and Corporations as he pleased) were not pack'd also : And this is that glorious Priviledge of the English Parliaments, so much admired for just nothing ; for if his pretended Prerogative might stand for Law, as was challenged by his Adherents, never was there a purer Cheat put upon any People, nor a more ready way to enslave them, than by Priviledge of Parliament, being just such a Mockery of the People, as that Mock-Parliament at *Oxford* was, where the King's Consent must be the Figure, and the Representative stand but for a Cypher.

5. But then out of Parliament the People are made to believe, that the King hath committed all Justice to the Judges, and distributed the Execution thereof into several Courts ; and that the King cannot so much as imprison a Man, nor impose any Thing upon, nor take any Thing away from the People, as by Law he ought not to do : But now see what Prerogative he challenges.

1. If the King have a mind to have any publick spirited Man removed out of the way, this Man is killed, the Murtherer known, a Letter comes to the Judge, and it may be it shall be found but Manslaughter ; if it be found Murther, the Man is condemned, but the King grants him a Pardon, which the Judges will allow, if the Word Murther be in it ; but because it is too gross to pardon Murther, therefore the King shall grant him a Lease of his Life for seven Years, and then renew it (like a Bishop's Lease) as he did to Major *Prichard*, who was lately justiced, who being a Servant to the Earl of *Lindsea*, murther'd a Gentleman in *Lincolnshire*, and was condemn'd, and had a Lease of his Life from the King, as his own Friends have credibly told me.

2. For matter of Liberty: The King or any Courtier sends a Man to Prison, if the Judge set him at Liberty, then put him out of his Place, a Temptation too heavy for those that love Money and Honour more than God, to bear; therefore any Judgment that is given between the King and a Subject, 'tis not worth a Rush, for what will not Money do?

Next he challenges a Prerogative to enhance and Debase Moneys which by Law was allowed him, so far as to balance Trade, and no further; that if Gold went high beyond Sea, it might not be cheap here, to have it all bought up and transported: But under Colour of that he challenges a Prerogative, that the King may by Proclamation make Leather currant, or make a Six-pence go for Twenty Shillings, or Twenty Shillings for Six-pence: Which not to mention any thing of the Project of Farthings or Brass Money, he that challenges such a Prerogative, is a potential Tyrant; for if he may make my Twelve Pence in my Pocket worth but two Pence, what Property hath any Man in any Thing that he enjoys?

Another Prerogative pretended was, that the King may avoid any Grant, and so may couzen and cheat any Man by a Law, the ground whereof is, that the King's Grants shall be taken according to his Intention, which in a sober Sense I wish, that all Mens Grants might be so construed according to their Intentions, exprest by Word or Writing; but by this means it being hard to know what the King intended, his Grants have been like the Devil's Oracles taken in any contrary Sense for his own Advantage.

1. R. In the famous Case of *Altonwoods*, there is vouched the Lord *Lovel's* Case, that the King granted Lands to the Lord *Lovel* and his Heirs Males, not for Service done, but for a valuable Consideration of Money paid: The Patentee well hoped to have enjoyed the Land, not only during his Life, but that his Heirs Males, at least of his Body, should have likewise enjoyed it: But the Judges finding, it seems, that the King was willing to keep the Money, and have his Land again (for what other Reason no mortal Man can fathom) resolved that it was a void Grant, and that nothing passed to the Patentee. I might Instance in many Cases of like Nature, throughout all the Reports.

as one once made his boast, that he never made or past any Patent or Charter from the Crown, but he reserved one starting Hole or other, and knew how to avoid it, and so meerly to coufen and defraud the Poor Patentee. So that now put all these Prerogatives together, 1. The Militia by Sea and Land. 2. A Liberty to call Parliaments when he pleased, and to adjourn, prorogue or dissolve them at Pleasure. 3. A negative Voice, that the People cannot save themselves without him, and must cut their own Throats, if commanded so to do. 4. The Nomination and making of all the Judges, that upon Peril of the Loss of their Places, must declare the Law to be as he pleases. 5. A Power to confer Honours upon whom, and how he pleases: A covetous base Wretch, for Five or Ten Thousand Pounds to be courted, who deserves to be carted. 6. To pardon Murtherers, whom the Lord says, shall not be pardoned. 7. To set a Value and Price of Moneys as he pleases, that if he be to pay Ten Thousand Pounds, he may make Leather by his Proclamation, to be currant that Day, or a five Shillings to pass for Twenty Shillings; and if to receive so much, a twenty Shillings to pass for five Shillings. And lastly, a legal Theft to avoid his own Grants: I may boldly throw the Gantlet, and challenge all the *Machiavels* in the World, to invent such an exquisite Platform of Tyrannical Domination, and such a perfect Tyranny, without Maim or Blemish, as this is, and that by a Law, which is worst of all. But the Truth is, these are no legal Prerogatives, but Usurpations, Incroachments and Invasions upon the Peoples Rights and Liberties, and this easily effected without any great Depth of Policy; for 'tis but being sure to call no Parliaments, or make them useles, and make the Judges Places profitable, and place Avarice upon the Bench, and no doubt but the Law shall sound as the King wou'd have it: But let me thus far satisfie the ingenuous Reader, That all the Judges in *England* cannot make one Case to be Law that is not Reason, no more than they can prove a Hair to be white that is black, which if they should so declare or adjudge, it is a meer Nullity; for Law must be Reason adjudg'd, where Reason is the *Genus*, and the Judgment in some Court makes the *Differentia*; and I never found that the fair Hand of the common Law of *England*, ever reached out any Prerogative to the King above the meanest Man, but in Three Cases. 1. In Matters of Honour and

Pre-

eminence to his Person, and in Matters of Interest, that he should have Mines Royal of Gold and Silver, in whose Land soever they were discovered ; and Fishes Royal, as Sturgeons and Whales, in whose Streams or Water soever they were taken, which very rarely happened, or to have Tythes out of a Parish that no Body else could challenge ; for says the Law, *The most Noble Persons are to have the most noble Things.* 2. To have his Patents freed from Deceit, that he be not over-reach'd, or cozen'd in his Contracts, being employed about the great and arduous Affairs of the Kingdom. 3. His Rights to be freed from incurfion of Time, not to be bound up by any Statute of Non-claim ; for indeed Possession is a vain Plea, when the Matter of Right is in question, for Right can never dye ; and some such honourable Priviledges of mending his Plea, or suing in what Court he will, and some such Prerogatives of a middle indifferent Nature, that could not be prejudicial to the People : But that the Law of *England* should give the King any such vast immence precipitating Power, or any such God-like State, that he ought not to be accountable for wicked Actions, or Male-Administrations and Misgovernment, as he hath challenged and aver'd in his Answer to the Petition of Right, or any such Principles of Tyranny, which are as inconsistent with the People's Liberties and Safety, as the Ark and *Dagon*, Light and Darkness, in an intensive Degree, is a most vain and irrational Thing to imagine ; and yet that was the ground of the War, as himself often declared ; and that would not have half contented him, if he had come in by the Sword. But some rational Men object, How can it be Murther, say they, for the King to raise Forces against the Parliament ? Since there is no other way of determining Differences between the King and his Subjects, but by the Sword ; for the Law is no competent Judge between two Supreme Powers ; and then if it be only a contending for each others Right, Where is the Malice that makes the killing of a Man Murther ? Take the Answer thus, First, How is it possible to imagine Two Supreme Powers in one Nation, no more than Two Suns in one Firmament ; if the King be Supreme, the Parliament must be Subordinate ; if they Supreme, then he Subordinate : But then it is alledged, That the King challenged a Power only co-ordinate, that the Parliament could do nothing without him, nor he without them : Under Favour, Two Powers
co-ordinate

co-ordinate is as absurd as the other; for though in quiet Times the Commons have waited upon the King, and allowed him a Negative Voice in Matters of less Concernment, where delay could not prove Dangerous to the People; yet when the Commons shall Vote that the Kingdom is in Danger, unless the *Militia* be so and so settled; now if he will not agree to it, they are bound in Duty to do it themselves. And 'tis impossible to imagine that ever any Man should have the Consent of the People to be their King upon other Conditions (without which no Man ever had right) to wear the Diadem; for Conquest makes a Title amongst Wolves and Bears, but not amongst Men.

When the first Agreement was concerning the Power of Parliaments, if the King should have said, Gentlemen, are you content to allow me any Negative Voice, that if you Vote the Kingdom to be in Danger, unless such an Act pass, if I refuse to assent, shall nothing be done in that Case? Surely no rational Man but would have answered, May it please your Majesty, we shall use all dutiful Means to procure your Royal Assent; but if you still refuse, we must not sit still and see our selves ruined, we must and will save our selves whether you will or no; and will any Man say that the King's Power is diminished, because he cannot hurt the People, or that a Man is less in Health that hath many Physitians to attend him: God is Omnipotent that cannot sin, and all Power is for the People's Good, but a Prince may not say that is for the People's Good, which they say and feel to be for their Hurt. And as for the Malice, the Law implies that; as when a Thief sets upon a Man to rob him, he hath no spite to the Man, but love to the Money: But it is an imply'd Malice, that he will kill the People unless they will be Slaves.

Q. But by what Law is the King condemn'd?

R. By the Fundamental Law of this Kingdom, by the general Law of all Nations, and the unanimous Consent of all Rational Men in the World, written in every Man's Heart with the Pen of a Diamond in Capital Letters, and a Character so legible, that he that runs may read, *viz.* That when any Man is entrusted with the Sword for the Protection and Preservation of the People, if this Man shall employ it to their Destruction, which was put into his Hand for their Safety, by the Law of that Land, he be-

comes

comes an Enemy to that People, and deserves the most exemplary and severe Punishment that can be invented: And this is the first necessary Fundamental Law of every Kingdom, which by intrinsical Rules of Government must preserve it self; and this Law needed not be express'd, That if a King become a Tyrant, he shall dye for it, 'tis so naturally imply'd; we do not use to make Laws which are for the Preservation of Nature, that a Man should eat, and drink, and buy himself Cloaths, and enjoy other natural Comforts; no Kingdom ever made any Laws for it: And as we are to defend our selves naturally, without any written Law, from Hunger and Cold, so from outward Violence; therefore if a King would destroy a People, 'tis absurd and ridiculous to ask by what Law he is to dye. And this Law of Nature is the Law of God, written in the fleshy Tables of Men's Hearts, that like the elder Sister, hath a prerogative right of Power before any positive Law whatsoever; and this Law of Nature is an undubitable Legislative Authority of it self, that hath a suspensive Power over all humane Laws. If any Man shall by express Covenant under Hand and Seal give Power to another Man to kill him, this is a void Contract, being destructive to Humanity; and by the Law of *England* any Act or Agreement against the Laws of God or Nature, is a meer Nullity; for as Man hath no Hand in the making of the Laws of God or Nature, no more hath he Power to mar or alter them. If the Pilot of a Ship be Drunk, and running upon a Rock, if the Passengers cannot otherwise prevent it, they may throw him into the Sea to cool him; and this Question hath received Resolution this Parliament. When the *Militia* of an Army is committed to a General, 'tis not with any express Condition, That he shall not turn the Mouths of his Canons against his own Soldiers, for that is so naturally and necessarily imply'd, that its needless to be express'd; insomuch as if he did attempt or command such a Thing against the Nature of his Trust and Place, it did *ipso facto* estate the Army in a right of Disobedience, unless any Man be so grossly Ignorant to think that Obedience binds Men to cut their own Throats, or their Companions: Nor is this any secret of the Law which hath lain hid from the beginning, and now brought out to bring him to Justice; but that which is connatural with every Man, and innate in his Judgment and Reason, and is as ancient as the first King.

and

and an Epidemical binding Law in all Nations in the World : For when many Families agree, for the Preservation of Human Society, to invest any King or Governour with Power and Authority ; upon the acceptance thereof, there is a mutual Trust and Confidence between them, That the King shall improve his Power for their Good, and make it his Work to procure their Safeties, and they to provide for his Honour, which is done to the Commonwealth in him, as the Sword and Ensigns of Honour carried before the Lord Mayor, are for the Honour of the City ; now, as when any one of this People shall compass the Death of the Governour, ruling well, this is a Treason punishable with Death for the Wrong done to the Community, and *Anathema* be to such a Man : So when he or they that are trusted to fight the People's Battles, and to procure their Welfare, shall prevaricate, and act to the enslaving or destroying of the People, who are their Leige Lords ; and all Governours are but the People's Creatures, and the Work of their Hands, to be accountable as their Stewards, (and is it not senseless for the Vessel to ask the Potter by what Law he calls it to account) this is high Treason with a Witness, and far more transcendent than in the former Case, because the King was paid for his Service, and the Dignity of the Person does increase the Offence ; for a great Man of noble Education and Knowledge to betray so great a Trust, and abuse so much Love as the Parliament shewed to the King by Petitioning him as good Subjects, praying for him as good Christians, advising him as good Counsellors, and treating with him as the great Counsel of the Kingdom, with such infinite Care and Tendernefs of his Honour, (a Course which God's People did not take with *Rehoboam*, they never petitioned him, but advised him, he refused their Counsel, and hearkened to young Counsellors, and they cry, *To thy Tents, O Israel*, and made quick and short Work of it) after all this, and much more Longanimity and Patience (which God exercises towards Man to bring him to Repentance) from the Lord to the Servant, for him not only to set up a Standard of War, in defiance of his dread Sovereign, *The People*, (for so they truly were in Nature, though Names have befool'd us) but to persist so many Years in such cruel Persecutions, who with a Word of his Mouth might have made a Peace. If ever there were so superlative a Treason, let the *Indians* judge ; and
 whoever

whoever shall break and violate such a Trust and Confidence, *Anathema Maranatha* be unto them.

Q. But why was there not a written Law to make it Treason for the King to destroy the People; as well as for a Man to compass the King's Death?

Resp. Because our Ancestors did never imagine, that any King of *England* would have been so desperately Mad, as to levy a War against the Parliament and People; as in the common Instance of *Paricide*, the *Romans* made no Law against him that should kill his Father, thinking no Child would be so unnatural to be the Death of him who was the Author of his Life; but when a Child came to be accused for a Murther, there was a more cruel Punishment inflicted, than for other Homicides; for he was thrown into the Sea in a great Leather Barrel, with a Dog, a Jackanapes, a Cock, and a Viper, significant Companions for him, to be deprived of all the Elements, as in my *Poor Man's Case*, Fol. 10. Nor was there any Law made against Parents that should kill their Children; yet if any Man was so unnatural, he had an Exemplary Punishment.

Obj. But is it not a Maxim in Law, That the King can do no wrong.

Resp. For any Man to say so, is Blasphemy against the great God of Truth and Love: For only God cannot err, because what he Wills is right, because he Wills it; and 'tis a sad Thing to consider how learned Men, for unworthy Ends should use such Art to subdue the People, by transportation of their Senses, as to make them believe that the Law is, *That the King can do no Wrong*.

First, For Law, I do aver it with Confidence, but in all Humility, That there is no such Case to be found in Law, That if the King Rob, or Murther, or commit such horrid Extravagancies, that it is no Wrong: Indeed, the Case is put in *Henry 7.* by a chief Judge, That If the King kill a Man, 'tis no Felony to make him suffer Death; that is to be meant in ordinary Courts of Justice: But there is no doubt but the Parliament might try the King, or appoint others to judge him for it. We find Cases in

Law, that the King hath been sued even in Civil Actions.

In 43 E. 3. 22. It is resolved, That all manner of Actions did lie against the King, as against any Lord; and 24 E. 3. 23. *Wilby* a learned Judge said, That there was a Writ *Præcipe Henrico Rege Angliæ*.

Indeed E. 1. did make an Act of State, *That Men should sue to him by Petition*; but this was not agreed unto in Parliament, *Thelwall* title *Roye digest of Writs*, 711. But after, when Judges Places grew great, the Judges and Bitesheeps began to sing Lullaby, and speak *Placentia* to the King, *That My Lord the King is an Angel of Light*: Now Angels are not responsible to Men, but God, therefore not Kings: And the Judges they begin to make the King a God, and say, That by Law his Stile is *Sacred Majesty*, though he swears every Hour; and *Gracious Majesty*, though gracious Men be the chief Objects of his hatred; and that the King hath an Omnipotency and Omnipresence.

But I am sure there is no Case in Law, That if the King levy a War against the Parliament and People, that it is not Treason. Possibly that Case in *H. 7.* may prove, That if the King should in his Passion kill a Man, this shall not be Felony to take away the King's Life: For the inconveniency may be greater to the People, by putting a King to Death for one Offence and Miscarriage, than the Execution of Justice upon him can Advantage them: But what's this to a levying of War against a Parliament? Never any Judge was so devoid of Understanding, that he deny'd that to be Treason. But suppose a Judge that held his Place at the King's Pleasure did so, I am sure never any Parliament said so. But what if there had in dark Times of *Popery* been an Act made, That the King might Murther, Ravish, Burn and perpetrate all Mischiefs, and play Reaks with Impunity; will any Man that hath but Wit enough to measure an Ell of Cloth, or to tell Twenty, say, That this an Obligation for Men to stand still, and suffer a Monster to cut their Throats, and grant Commission to rob at *Sater's-Hill*, as such, and no better, are all Legal Thefts and Oppressions: The Doctor says, That a Statute against giving an Alms to a poor Man is void: He is no Student, I mean, was never bound
Prentice

Prentice to Reason, that says, A King cannot commit Treason against the People.

Obj. *But are there not Negative Words in the Statute of 25 Ed. 3. That nothing else shall be construed to be Treason, but what is there express'd?*

Ref. That Statute was intended for the People's Safety, That the King's Judges should not make Traytors by dozens to gratifie the King or Courtiers ; but it was never meant, to give Liberty to the King to destroy the People ; and tho' it be said, That the King and Parliament only may declare Treason, yet no doubt, if the King will neglect his Duty, it may be so declared without him ; for when many are obliged to do any Service, if some of them fail, the rest must do it.

Obj. *But is there any President, that ever any Man was put to Death that did not offend against some written Law? For where there is no Law, there is no Transgression.*

Ref. 'Tis very true, where there is neither Law of God, nor Nature, nor positive Law, there can be no Transgression, and therefore that Scripture is much abused to apply it only to Laws positive. For,

First, *ad ea quæ frequentius, &c.* 'Tis out of the Sphere of all earthly Law-givers to comprehend and express all particular Cases that may possibly happen, but such as are of most frequent Concurrence ; Particulars being different, like the several Faces of Men different from one another, else Laws would be too tedious ; and as Particulars occur, rational Men will reduce them to general Reasons of State, so as every Thing may be adjudged for the good of the Community.

2. The Law of *England*, is *Lex non Scripta*, and we have a Direction in the Epistle to the 3d Rep. That when our Law Books are silent, we must repair to the Law of Nature and Reason ; *Holinshed*, and one other Historian, tells us that in 20 H. 8. the Lord *Hungerford* was executed for Buggery, for which there was then no positive Law to make it Felony ; and before any Statute against Witchcraft, many Witches have been hang'd in *England*, because it is Death by God's Law : If any *Italian Mounte-*

Bank should come over hither, and give any Man Poyson that should lie in his Body a Year and a Day, and then kill him, as it is reported they can give a Man Poyson that shall consume the Body in three Years, will any Make scruple, or question to hang such a Rascal? At Naples, the great Treasurer of Corn being entrusted with many Thousand Quarters at Three Shillings the Bushel, for the common Good, finding an Opportunity to sell it for Five Shillings the Bushel to Foreign Merchants, enrich'd himself exceedingly thereby; and Corn growing suddenly dear, the Council called him to Account for it, who proffered to allow Three Shillings for it, as it was delivered into his Custody, and hoped thereby to escape; but for so great a Breach of Trust, nothing would content the People but to have him hang'd; and though there were no positive Law for it, to make it Treason, yet it was resolved by the best Politicians, That it was Treason to break so great a Trust, by the Fundamenral Constitution of the Kingdom; and that for so great Offence he ought to dye, that durst presume to enrich himself by that which might endanger the Lives of so many Citizens: For as Society is natural, so Governours must of Necessity, and in all Reason, provide for the Preservation and Sustenance of the meanest Member, he that is but as the little Toe of the Body Politick.

But I know the ingenuous Reader desires to hear something concerning *Ireland*, where there were no less than 152000 Men, Women, and Children, most barbarously and satannically Murthered in the first Four Months of the Rebellion, as appear'd by the substantial Proofs, at the King's Bench, at the Tryal of *Macquire*. If the King had a Hand, or but a little Finger in that Massacre, every Man will say, Let him die the Death; but how shall we be assured of that? How can we know the Tree, better than by its Fruits? For my own Particular, I have spent many serious Thoughts about it, and I desire in doubtful Cases, to give Charity the upper Hand; but I cannot in my Conscience acquit him of it. Many strong Presumptions, and several Oaths of honest Men, that have seen the King's Commission for it, cannot but amount to clear Proof. If I meet a Man running down Stairs with a bloody Sword in his Hand, and find a Man stabb'd in the Chamber; though I did not see this Man run into the

the

the Body, by that Man which I met; yet if I were of the Jury, I durst not but find him guilty of the Murder; and I cannot but admire that any Man should deny that for him, which he durst never deny for himself. How often was that Monstrous Rebellion laid in his Dish? And yet he durst never absolutely deny it: Never was Bear so unwillingly brought to the Stake, as he was to declare against the Rebels; and when he did once call them Rebels, he would suffer but Forty Copies to be printed; and he hath since above Forty Times called them his Subjects, and his good Subjects; and sent to *Ormond* to give special Thanks to some of these Rebels, as *Muskerry* and *Plunket*, which I am confident by what I see of his height of Spirit, and undaunted Resolution at his Tryal and since, acting the last Part answerable to the former Part of his Life; he would rather have lost his Life, than to have sent Thanks to Two such incarnate Devils, if he had not been as guilty as themselves; questionless, if the King had not been guilty of that Blood, he would have made a Thousand Declarations against those Blood-Hounds and Hell-Hounds, that are not to be named but with Fire and Brimstone, and have sent to all Princes in the World for Assistance against such accursed Devils in the Shape of Men; but he durst not offend those Fiends and Fire-Brands; for if he had, I verily believe they would soon have produc'd his Commission under his Hand and Seal of *Scotland* at *Edinburgh*, 1641. A Copy whereof is in the Parliaments Hands, attested by Oath, dispersed by Copies in *Ireland*, which caused the general Rebellion.

Obj. *He did not give Commission to kill the English, but to take their Forts, Castles, Towns and Arms, and come over and help him.*

And is it like all this could be effected without the slaughter of the poor *English*? Did the King ever call them Rebels, but in Forty Proclamations wrung out of him by force, by the Parliaments importunity? Murdering the *Protestants* was so acceptable to him, and with this limitation, That none should be publish'd without his further Directions, as appears under *Nichols* his Hand, now in the Parliament's Custody: But the *Scots* were proclaimed Rebels before they had killed a Man,
or

or had an Army, and a Prayer against them, enjoyned in all Churches; but no such Matter against the *Iriſh*.

Well, When the Rebels were worſted in *Ireland*, the King makes War here to protect them, which but for his fair Words, had been prevented, often calling God to Witneſs, He would as ſoon raiſe War on his own Children; and Men from *Papiſh* Principles aſſiſt him. Well, We fought in Jeſt, and were kept between winning and loſing: The King muſt not be too ſtrong, leſt he revenge himſelf; nor the Parliament too ſtrong, for the Commons would rule all, till *Naſeby* Fight, that then the King could keep no more Days of Thanſgiving ſo well as we: Then he makes a Ceſſation in *Ireland*, and many *Iriſh* came over to help him: *Engliſh* came over with *Papiſts*, who had ſcarce wip'd their Swords ſince they had killed their Wives and Children, and had their Eſtates.

But thus I argue, The Rebels knew that the King had proclaim'd them Traytors, and Forty Copies were Printed; and the firſt Clause of an Oath enjoyned by the general Council of Rebels, was, *To bear true Faith and Allegiance to King Charles; and by all Means to maintain his Royal Prerogative, againſt the Puritans in the Parliament of England*. Now, is any Man ſo weak in his Intellectuals, as to imagine, That if the Rebels had without the King's Command or Conſent, murdered ſo many *Proteſtants*, and he thereupon had really proclaimed them Rebels; That they would after this, have taken a new Oath to have maintained his Prerogative: No, thoſe bloody Devils had more Wit, than to fight in Jeſt. If the King once in good earneſt proclaimed them Rebels, they would have burnt their Scabbards, and would not have ſtiled themſelves, The King and Queen's Army, as they did. And truly, that which the King ſaid for himſelf, That he would have adventured himſelf, to have gone in Perſon into *Ireland*, to ſuppreſs that Rebellion, is but a poor Argument to enforce any Man's Belief, That he was not guilty of the Maſſacre: For it makes me rather think, That he had ſome hopes to have returned in the Head of 20 or 30000 Rebels, to have deſtroyed this Nation: For when the Earl of *Leiceſter* was ſent by the Parliament to ſubdue the Rebels, did not the King hinder him from going

going ? And were not the Cloaths and Provisions, which were sent by the Parliament, for the Relief of the poor Protestants there, seized upon by his Command, and his Men of War, and sold or exchanged for Arms and Ammunition, to destroy this Parliament ? And does not every Man know, That the Rebels in *Ireland* gave Letters of Mart, for taking the Parliaments Ships, but freed the Kings as their very good Friends ? And I have often heard it credibly reported, that the King should say, That nothing more troubled him, but that there was not as much Protestant Blood running in *England* and *Scotland*, as in *Ireland*. And when that horrid Rebellion begun to break forth, How did the Papists here triumph and boast, that they hoped ere long to see *London* Streets run down in Blood ? And yet I do not think, that the King was a Papist, or that he designed to introduce the Pope's Supremacy in Spiritual Things into this Kingdom : But thus it was, A Jesuitical Party at Court was too prevalent in his Councils, and some mungrel Protestants that less hated the Papists, than the Puritans, by the Queen's Mediation joyned altogether to destroy the Puritans, hoping that the Papists, and the *Laodicean* Protestant would agree well enough together. And lastly, if it be said, That if the King and the Rebels were never fall'n out, what need had *Ormond* to make a pacification or Peace with them by the King's Commission, under the Great Seal of *Ireland*. Truly there hath been so much daubing, and so little plain dealing, that I wonder how there comes to be so many Beggars.

Concerning the betraying of *Rochel*, to the inflaving of the Protestant Party in *France*, I confess, I heard so much of it, and was so shamefully reproached for it in *Geneva*, and by the Protestant Ministers in *France*, that I could believe no less, than that the King was guilty of it. I have heard fearful Exclamations from the *French* Protestants against the King, and the late Duke of *Buckingham*, for the betraying of *Rochel*. And some of the Ministers told me Ten Years since, That God would be revenged of the wicked King of *England*, for betraying *Rochel* : And I have often heard *Deodati* say, concerning *Henry* the Fourth of *France*, That the *Papists* had his Body, but the *protestants* had his Heart and Soul ; but for the King of *England*, The *Protestants* had his Body, but the *Papists* had his

his Heart: Not that I think he did believe Transubstantion, (God forbid I should wrong the dead) but I verily believe, That he loved a *Papist*, better than a *Puritan*.

The Duke of Roan, who was an honest gallant Man, and the King's God-Father would often say, That all the Blood which was shed in Dauphin, would be cast upon the King of England's Score: For thus it was, The King sent a Letter to the *Rochelers* by Sir William Brether, to assure them, That he would assist them to the uttermost, against the French King, for the Liberty of their Religion; conditionally, That they would not make any Peace without him; and Mountague was sent into Savoy, and to the Duke of Roan, to assure them from the King, That 30000 Men should be sent out of England, to assist them against the French King, in three Fleets; One to land in the Isle of Ree, a second in the River of Bourdeaux, and a third in Normandy: Whereupon, the Duke of Roan being General for the Protestants, not suspecting that the French durst assault him in Dauphin, (because the King of England was ready to invade him, as he had promised) drew out his Army upon Disadvantage: Whereupon, the French King employed all his Army into Dauphin against the Protestants, who were forc'd to retreat, and the Duke of Roan to flie to Geneva, and the Protestants to accept of Peace upon very hard Conditions, to stand barely at the King's Devotion for their Liberties, without any cautionary Towns of Assurance, as formerly they had; being such a Peace, as the Sheep make with the Wolves, when the Dogs are dismiss. And the Protestants have ever since cryed out to this very Day, It is not the French King that did us wrong, for then we could have born it; but it was the King of England, a profess'd Protestant that betrayed us. And when I have many times entreated Deodati and others, to have a good Opinion of the King, he would answer me, That we are commanded to forgive our Enemies, but not to forgive our Friends.

There is a French Book Printed about Two Years since, called *Memoirei du Monsieur de Roan*, where the King's horrid Perfidiousness, and deep Diffimulation, is very clearly unfolded and discovered: To instance but in some Particulars, The King having solemnly engaged to the *Rochelers*, that he would hazard all the Forces he had in his
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Three Kingdoms, rather than they should perish ; did in order thereunto, to gain Credulity with them, send out eight Ships to Sea, commanded by Sir John Pennington, to assist the *Rochelers* as was pretended, but nothing less intended ; for Pennington assisted the *French King* against the *Rochelers*, which made Sir *Ferdinando Gorge* to go away with the great *Neptune*, in detestation of so damnable a Plot ; and the *English* Masters and Owners of Ships, refusing to lend their Ships to destroy the *Rochelers*, whom with their Souls they desired to relieve, Pennington in a mad spite, shot at them.

Subise being Agent here in *England* for the *French* Protestants, acquainted the King how basely Pennington had dealt, and that the *English* Ships had mowed down the *Rochel* Ships like Grass, not only to the great Danger and Loss of the *Rochelers*, but to the eternal Dishonour of this Nation, Scandal of our Religion, and Disadvantage of the general Affairs of all the Protestants in Christendom. The King seems to be displeased, and says, What a Knave is this Pennington ? But whether it was not fained, let all the World judge : But the Thing being so plain, said *Subise* to the King, Sir, Why did the *English* Ships assist the *French King* ; and those that would not, were shot at by your Admiral ? The *French* Protestants are no Fools ; how can I make them believe that you intend their Welfare ? The King was much put to it for a ready Answer ; but at last thus it was patch'd up, That the *French King* had a Design to be revenged of *Genoa* for some former Affront ; and that the King lent him Eight *English* Ships to be employed for *Genoa*, and that sailing towards *Genoa*, they met with some of the *Rochelers* accidentally, and that the *English* did but look on, and could not help it, not having any Commission to fight at that present ; wherein the *Rochelers* might, and would have declined a Sea-fight, if they had not expected our Assistance. But still the poor Protestants were willing, rather to blame Pennington than the King ; who in great seeming Zeal, being Surety for the last Peace between the *French King*, and his Protestant Subjects, sends *Devick* to the Duke of *Roan*, to assure him, That if *Rochel* were not speedily set at Liberty, (which the *French King* had besieged, contrary to his Agreement) he would employ

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his whole Strength, and in his own Person see it performed ; which not being done, then the King sends the Duke of *Buckingham* to the Isle of *Ree*, and gives new Hopes of better Success to *Subise*, commanding the Admiral and Officers in the Fleet, in *Subises's* hearing, to do nothing without his Advice : But when the Duke came to land at the Isle of *Ree*, many gallant *English* Men lost their Lives, and the Duke brought back 300 Tuns of Corn from the *Rochelers*, which he had borrowed of them, pretending a Necessity for the *English* Men, which was but feined, knowing it was a City impregnable, so long as they had Provision within. I confess the *Rochelers* were not wise, to lend the Duke their Corn, considering how they had been dealt with : But what a base Thing was it, so to betray them, and to swear unto them, That they should have Corn enough sent from *England*, before they wanted it. And for a long time, God did miraculously send them in a new kind of Fish, which they never had before. But when the Duke came to Court, he made the honest *English* believe, that *Rochel* would suddenly be relieved, and that there was not the least Danger of the loss of it ; but Secretary *Cook*, an honest understanding Gentleman, and the only Friend at Court to the *Rochelers*, labouring to improve his Power to send some Succour to *Rochel*, was suddenly sent away from Court upon some sleeveless Errand, or as some say, to *Portsmouth*, under colour of providing Corn for *Rochel* ; but the Duke soon after went thither, and said, His Life upon it, *Rochel* is safe enough : And the next Day, *Subise* being at *Portsmouth*, he press'd the Duke of *Buckingham* most importunately to send Relief to *Rochel* then or never ; the Duke told him that he had' just then heard good News of the victualling of *Rochel*, which he was going to tell the King ; which *Subise* making doubt of, the Duke affirmed it by an Oath, and having the Words in his Mouth, he was stabb'd by *Elton*, and instantly dy'd : The poor *Rochelers* seeing themselves so betray'd, exclaim'd of the *English*, and were constrain'd through Famine to surrender the City ; yet new Assurances came from the King to the Duke of *Roan*, that he should never be abandon'd, and that he should not be dismay'd, nor astonish'd for the loss of *Rochel*.

But

But *Subise* spoke his Mind freely at Court, That the *English* had betrayed *Rochel*, and that the loss of that City was the apparent Perdition, and loss of 32 Places of Strength from the *French* Protestants in *Languedock*, *Piedmont* and *Dauphin*, therefore it was thought fit that he should have a Fig given him to stop his Mouth : Well, not long after, Two Capuchines were sent into *England* to kill honest *Subise*, and the one of them discovered the other ; *Subise* rewarded the discoverer, and demanded Justice here against the other who was a Prisoner, but by what Means you may easily imagine, that assassinate Rascal, instead of being whip'd, or receiving some more severe Punishment, was released and sent back into *France* with Money in his Purse, and one of the Messengers that was sent from *Rochel* to complain of those abominable Treacheries, was taken here ; and as the Duke of *Roan* writes, was hang'd for some pretended Felony or Treason, and much more to this Purpose may be found in the Duke of *Roan*'s Memorials ; but yet I know many wise sober Men do acquit the King from the guilt of the loss of *Rochel*, and lay it upon the Duke, as if it were but a loss of his Reputation ; they say that the Duke of *Buckingham* agitated his Affairs neither for Religion, nor the Honour of his Master, but only to satisfy his Passion in foolish Vows which he made in *France*, entred upon a War ; and that the Business miscarried through Ignorance, and for want of Understanding to manage so difficult a Negotiation, he being unfit to be an Admiral or General.

I confess that for many Years I was of that Opinion, and thought that the King was seduced by evil Council, and some thought that *Buckingham* and others ruled him as a Child, and durst do what they list : But certainly he was too Politick and Subtil a Man to be swayed by any Thing but his own Judgment ; since *Naseby*'s Letters, I ever thought him Principal in all Transactions of State, and the wisest about him but Accessaries ; he never acted by any implicit Faith in State Matters, the proudest of them all durst never cross him in any Design when he had once resolved upon it. Is any Man so soft-brained, to think that the Duke of *Buckingham* durst betray *Rochel* without his Command ? Would not he have hanged them

up at their return, if they had wilfully transgressed his Commands? A thousand such Excuses made for him, are but like *Isb Quagmires*, that have no solid Ground or Foundation in Reason: He was well known to be a great Student in his younger Days, that his Father would say, He must make him a Bishop: He had more learning and dexterity in State Affairs undoubtedly, than all the Kings in Christendom: If he had had Grace answerable to his strong Parts, he had been another *Solomon*, but his Wit and Knowledge proved like a Sword in a Mad-Man's Hands; he was a stranger to the Work of Grace, and the Spirit of God, as the poor Creature confess'd to me soon after he was condemned; and all those Meanders in State, his serpentine turnings and windings, have but brought him to Shame and Confusion; but I am fully satisfied, none of his Council durst ever advise him to any Thing, but what they knew before he resolved to have done; and that they durst as well take a Bear by the Tooth, as do, or consent to the doing of any Thing, but what they knew would please him; they did but hew and square Timber, he was the Master-Builder, that gave the Form to every Architecture, and being so able and judicious to discern of every Man's Merits. Never think that the Duke, or *Pennington*, or any Judge, or Officer, did ever any Thing for his Advantage without his Command, against Law or Honour.

Upon all which Premises; may it please your Lordship, I do humbly demand and pray the Justice of this High Court, and yet not I, but the innocent Blood that hath been shed in the three Kingdoms, demands Justice against him: This Blood is vocal, and cries loud, and yet speaks no better, but much louder than the Blood of *Abel*; for what Proportion hath the Blood of that righteous Man, to the Blood of so many Thousands? If King *Ahab* and Queen *Jezebel*, for the Blood of one righteous *Naboth* (who would not sell his Inheritance for the full Value) were justly put to death, what Punishment does he deserve, that is guilty of the Blood of Thousands, and fought for a pretended Prerogative, that he might have any Man's Estate that he liked, without paying for it? This Blood hath long cried, how long Parliament, how long Army, will ye forbear to avenge our Blood? Will ye not do Justice
upon

upon the capital Author of all Injustice? When will ye take the proud Lyon by the Beard, that defies you with imperious Exultations, what's the House of Commons? What's the Army? As *Pharaoh* said, *who is the Lord?* And *who is Moses?* I am not accountable to any Power on Earth, those that were murthered at *Brainford*, knockt on the Head in the Water, and those honest Souls that were kill'd in cold Blood at *Bolton* and *Liverpool* in *Lancashire*, at *Bartomley* in *Cheshire*, and many other Places, their Blood Cries Night and Day for Justice against him, their Wives and Children cry, Justice upon the Murtherer, or else give us our Fathers and Husbands again; nay should the People be silent, the very Stones and Timber of the Houses would cry for Justice against him. But my Lord, before I pray Judgment, I humbly crave leave to speak to two Particulars,

1. Concerning the Prisoner: When I consider what he was, and how many Prayers have been made for him, though I know that all the World cannot restore him, nor save his Life, because God will not forgive his temporal Punishment, yet if God in him will be pleased to add one Example more to the Church, of his unchangeable Love to his Elect in Christ, not knowing but that he may belong to the Election of Grace; I am troubled in my Spirit, in regard of his eternal Condition, for fear that he should depart this Life, without Love and Reconciliation to all those Saints whom he hath scorned under the Notion of *Presbyterians*, *Anabaptists*, *Independants* and *Seſſaries*: It cannot be denied, but that he hath spent all his Days in unmeasurable Pride; that during his whole Reign, he hath deputed himself as a God, been depended upon, and adored as God; that hath challenged and assured an Omnipotent Power, an earthly Omnipotence, that with the Breath of his Mouth hath dissolved Parliaments, his *Non placet* hath made all the Councils of that supreme Court to become Abortives: *Non curo* hath been his Motto, who instead of being honoured as good Kings ought to be, and no more, hath been idolized and adored, as our good God only ought to be: A Man that hath shot all his Arrows against the Upright in the Land, hated Christ in his Members, swallowed down Unrighteousness as the Ox drinks Water, esteemed the Needy as his Foot-stool crushed honest publick spirited Men, and grieved when he could not afflict the Honest more then he did, counted it the best Art and Policy

Policy to suppress the Righteous, and to give way to his Courtiers so to gripe, grind, oppress and over-reach the free People of the Land, that he might do what he list (the remembrance whereof would pierce his Soul, if he knew the Preciousness of it) but all Sins to an infinite Mercy are equally pardonable, therefore my Prayer for this poor Wretch shall be, that God would so give him Repentance to Life, that he may believe in that Christ, whom he hath imprisoned, persecuted and murdered in the Saints ; that he which hath lived a Tyrant, and hated nothing so much as Holiness, may die a Convert, and in love to the Saints in *England*, that so the Tears of the Oppressed and the Afflicted, may not be as so many fiery stinging Serpents, causing an eternal Despairing, continual Horror to this miserable Man, when all Tyrants shall be astonish'd, and innocent Blood will affright me more than twelve Legions of Devils. All the hurt I wish to him is, That he may look the Saints in the Face with Comfort, for the Saints must judge the World ; and however it may be, he or his Adherents may think it a brave *Roman* Spirit, not to repent of any Thing, nor express any Sorrow for any Sin, though never so horrid, taking more Care, and Fear not to change their Countenance upon the Scaffold, than what shall become of them after Death ? Yet I beseech your Lordship that I may tell him, and all the Malignants now living but this, *Charles Stuart*, unless you depart this Life in Love and Reconciliation to all those Saints and godly Men whom you have either ignorantly or maliciously opposed, mockt, and persecuted, and still scorn and jeer at, as Hereticks and Sectaries, there is no more Hopes for you ever to see God in Comfort, then for me to touch the Heavens with my Finger, or with a Word to annihilate this great Building, or for the Devil to be saved, which he might be, if he could love a Saint as such : No, Sir, it will be too late for you to say to those Saints, whom you have defiled, give me some of your Holiness, that I may behold God's angry Countenance ; you can expect no Answer, but go, buy Sir of those Soul-hucksters, your Bishops, which fed you with Chaff and Poyson, and now you must feed upon Fire and Brimstone to all Eternity.

2. Concerning my self, I bear no more Malice to the Man's Person, than I do to my dear Father ; but I hate that cursed Principle of Tyranny, that has so long lodg'd and harbour'd

harbour'd within him, which has turned our Waters of Law into Blood ; and therefore upon that malignant Principle, I hope this High Court (which is an Habitation of Justice, and a Royal Palace of Principles of Freedom) will do speedy Justice, That this Lyon which has devoured so many Sheep, may not only be removed out of the way, but that this Iron Scepter, which has been lifted up to break this poor Nation in peices like a Potters Vessel, may be wrested out of the Hands of Tyrants ; that my honourable Clients (for whom I am an unworthy Advocate) the People of *England*, may not only taste, but drink abundantly of those sweet Waters of that Well of Liberty, which this renowned Army hath digg'd with their Swords, which was stopt by the Philistines, the fierce Jew, and uncircumcised *Canaanite*, the Hopes whereof made me readily to hearken to the Call to this Service, as if it had been immediately from Heaven, being fully satisfied, that the Prisoner was long since condemned to dye by God's Law (which being more noble and ancient than any Law of Man, if there had been a Statute that he should not dye, yet he ought to be put to Death notwithstanding) and that this High Court was but to pronounce the Sentence and Judgment written against him : And though I might have been sufficiently discouraged, in respect that my Reason is far less then others of my Profession ; yet considering that there are but two Things desirable, to make a dumb Man eloquent, namely, a good Cause, and good Judges, the first whereof procures the Justice of Heaven, and the second Justice upon Earth ; and thinking that happily God might make use of one mean Man at the Bar, amongst other learned Council, that more of his Mind might appear in it (for many times the less there is of Man, the more God's Glory does appear, and hitherto very much of the Mind of God hath appeared in this Action) I went as cheerfully about it, as to a Wedding ; and that the Glory of this Administration may be wholly given to God, I desire to observe to the Praise of his great Name, the Work of God upon my own Spirit, in his gracious Assistance and Presence with me, as a return of Prayer and fruit of Faith, believing that God never calls to the acting of any Thing so pleasing to him, as this most excellent Court of Justice is ; but he is present with the Honourable Judge, and those that wait upon them : I have been
sometimes

sometimes of Council against Felons and Prisoners, but I never moved the Court to proceed to Judgment against any Felon, or to keep any Man in Prison, but I trembled at it in my Thoughts, as thinking it would be easier to give an account of Mercy and Indulgence, than of any Thing that might look like Rigour; but now my Spirits are quite of another Temper, and I hope it is Meat and Drink to good Men, to have Justice done, and Recreation to think what benefit this Nation will receive by it.

And now, my Lord, I must as the Truth is, conclude him guilty of more transcendent Treasons and enormous Crimes, than all the Kings in this Part of the World have ever been: And as he that would picture *Venus*, must take the Eyes of one, the Cheeks of another beautiful Woman, and so other Parts to make a compleat Beauty; so to delineate an absolute Tyrant, the Cruelty of *Richard* the Third, and all the Subtilty, Treachery, deep Dissimulation, abominable Projects, and dishonourable Shifts, that ever were seperately in any that swayed the English Scepter, conspired together to make their Habitation in this Whited-wall; therefore I humbly pray, That as he has made himself a President in committing such horrid Acts, which former Kings and Ages knew not, and have been afraid to think of, That your Lordship and this High Court, out of your sublime Wisdoms and for Justice sake, would make him an Example for other Kingdoms for the Time to come: That the Kings of the Earth may hear and fear, and do no more so wickedly: That he which would not be a Pattern of Vertue, and an Example of Justice in his Life, may be a President of Justice to others by his Death.

Courteous Reader, For thy full Satisfaction in matter of Law, How the late King was by the Law of the Land accountable for his Tyrannous and Trayterous Exorbitancies, I refer thee to my Lord Presidents most Learned and Judicious Speech before the Sentence read: And I have one Word to add, That High Court was a Resemblance and Representation of the great Day of Judgment, when the Saints shall judge all wordly Powers, and where this Judgment will be confirmed and admired, for it was not only *bonum* but *bene*; not only good for the Matter, but the Manner of proceeding. This High Court did not only
consult

consult with Heaven for Wisdom and Direction (a President for other Courts to begin every solemn Action with Prayer) but examin'd Witnesses several Days upon Oath to inform their Consciences, and received abundant Satisfaction in a judicial Way (which by the Law of the Land was not requisite in Treason, the Prisoner standing mute) as Judges, which before was most notorious and known to them, as private Persons, and having most perspicuously discerned, and weigh'd the Merits of the Cause in the Ballances of the Sanctuary, Law and right Reason, pronounced as righteous a Sentence as ever was given by Mortal Men. And yet what Action was ever so good, but was traduced? Not only by unholy Men, but by the holy Men of the World; that Professors should pray for Justice, and then repine at the Execution of it: Blessed Lord! How does the God of this World storm, now his Kingdom is shaking? An enlightened Eye must needs see that it is the Design of Heaven to break all human Glory with an Iron Scepter, that will not kiss his Golden Scepter, and to exalt Justice and Mercy in the Earth. I confess, if the greater Part of the World should approve such high and noble Acts of Justice, it might be suspected, because the most People will judge erroneously; but that Christians that have fasted and prayed many Years for Justice, should now be angry to see it done, what is it? But like foolish Passengers that having been long at Sea in dangerous Storms, as they are entering into the quiet Haven, to be mad with the Pilot because he will not return into the angry Seas; but I shall observe one Passage in the Lord President's Speech, as a Scholar may presume to say a Word after his Master, concerning the many Menaces and minatory dangerous Speeches which are given forth concerning this High Court: If Men must be kill'd for the faithful Discharge of their Duties to God and their Country, I am sure the Murtherer will have the worst of it in Conclusion, if he should not be known here, (tho' Murther is a Sin that seldom goes unpunish'd in this World; and never did any Jesuit hold it meritorious to kill Men for bringing Tyrants and Murtherers to Justice, or to do such horrid Acts in the Sight of the Sun.) It was a noble Saying of the Lord President, That he was afraid of nothing so much as the not doing of Justice; and when he was called to that high Place which was put upon him, he sought it not, but desired to be ex-

cused more than once; not to decline a Duty to God and the People for fear of any Loss or Danger (being above such Thoughts by many Stories, as Actions testify) but alledging, That of himself, out of an humble Spirit, which if others had said of him, I am sure they had done him a great deal of Wrong: And tho' he might have been sufficiently discourag'd, because it was a new unprecedented Tribunal of condemning a King (because never did any King so tyrannize and butcher the People; find me but that in any History, and on the other side the Leaf you shall find him more than beheaded, even to be quartered, and given to be Meat to the Fowls of the Air) yet the Glory of God, and the Love of Justice, constrained him to accept it, and with what great Wisdom and undauntedness of Resolution, joyn'd with a sweet Meekness of Spirit, he hath performed it, is most evident to all, the Malignants themselves being Judges. Concerning this High Court, to speak any thing of this Glorious Administration of Justice, is but to shew the Sun with a Candle (the Sun of Justice now shines most gloriously, and it will be fair Weather in the Nation; but alas, the poor Mole is blind still, and cannot see it; but none so blind as they that will not see it) however, it is not proper or convenient for me at present, to speak all the Truth that I know (the Generations that are to come will call them blessed) concerning the Integrity and Justice of their Proceedings, lest I that am a Servant should be counted a Sycophant, which I abhor in my Soul, as my Body does Poison; and this I will be bold to say (which I hope God guides my Hand to write) This High Court hath cut off the Head of a Tyrant, and they have done well; undoubtedly it is the best Action that they ever did in all their Lives, a Matter of pure Envy, not Hatred, for never shall or can any Men in this Nation promerit so much Honour as these have done, by any Execution of Justice comparable to this; and in so doing, they have pronounced Sentence not only against one Tyrant, but Tyranny it self; therefore if any of them shall turn Tyrants, or consent to set up any kind of Tyranny by a Law, or suffer any unmerciful domineering over the Consciences, Persons and Estates of the free People of this Land, they have pronounced Sentence against themselves: But good Trees cannot bring forth bad Fruits; therefore let all desperate Malignants repent ere it be too late, of any such ungodly Purposes,
and

and fight no longer against God. Every Man is sown here as a Seed or Grain, and grows up to be a Tree, it behoves us all to see in what Ground we stand : Holy and righteous Men will be found to be Timber for the great Building of God in his Love, when Tyrants and Enemies to Holiness and Justice, will be for a Threshold or Footstool to be trodden upon, or fit for the Fire.

Lastly, for my self, I bless God, I have not so much Fear as comes to the Thousand Part of a Grain ; it is for a Cain to be afraid that *every Man that meets him will slay him* : I am not much solicitous whether I dye of a Consumption, or by the Hand of *Ravilliacks*, I leave that to my Heavenly Father : If it be his Will that I shall fall by the Hand of Violence, *it is the Lord, let him do what he pleaseth* : If my Indentures be given in before the Term of my Apprenticeship be expired, and that I be at my Father's House before it be Night, I am sure there is no hurt in all this : If I have but so much Time left, I shall pray my Father to forgive the Murtherer ; the Blood of Christ can wash away Sins of the deepest Stain, but when he sees his Childrens Blood sprinkled upon the bloody Wretch, he loves every Member as he loves himself. But know this, ye that have conceived any desperate Intentions against those honourable Justices, who have made you Freemen, unless you will return to *Egypt* ; if God in Wrath to you, and Love to any of his People, should suffer you to imbrue your Hands in any of their innocent Blood, either you will repent or not ; if you repent, it will cost you ten times more Anguish and Grief of Heart, than the Pleasure of the Sin can cause Delight ; and what a base Thing is it to do that which must be repented of at the best ? But if you repent not, it had been better for you to have never been born. But let every Man be faithful in doing his Duty, and trust God with the Success, and rejoyce in Christ in the Testimony of a good Conscience ; for he that hath not a Soul to lose, hath nothing to lose : But blessed be God, I have no Soul to lose, therefore I desire only to fear him, whom to fear, *is the Beginning of Wisdom* : And for all Malignants to come in, and joyn with honest Men in settling this Nation upon Noble Principles of Justice, Freedom, and Mercy to the Poor, will be their best and greatest Understanding.



